

REMARKS

Claims 1-23 are pending in the instant application. Claims 1-23 have been rejected by the Examiner. Claims 1-3, 5, 7-16, 18, and 20-23 have been amended. Claims 6 and 19 have been cancelled without prejudice or disclaimer. The Applicant submits that claims 1-5, 7-18, and 20-23 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Support for Claim amendments

Support for the amendments to independent claims 1, 8, and 14 may be found throughout the Applicant's specification and drawings. In particular, support may be found in Figures 2 and 3 (interface screens with message type options), Figure 4, and paragraphs [0035]-[0037]. Also, support for the amendments to claims 1, 8, and 14 may be found in the claims originally filed, e.g., claims 6 and 19, which have been cancelled by this amendment and which features are now incorporated into claims 1, 8, and 14. System claims 8-13 have been amended to recite features substantially similar to those recited in claims 1-7. Thus, no new matter has been entered by these amendments.

Claim Rejections Under 35 USC §103

Claims 1-23 have been rejected under 35 USC 103(a) as being allegedly unpatentable over U.S. Patent No. 6,724,872 to Moore et al. (hereinafter "Moore") in further view of U.S. Patent No. 5,742,905 to Pepe et al. (hereinafter "Pepe"). As indicated above, claims 6 and 19 have been cancelled and their features incorporated into independent claims 1, 8, and 14.

Independent claim 1, recites, *inter alia*, "storing addresses including a phone number and a text address for a calling device in a database;

mapping the phone number for the calling device to the text address of the calling device in the database;

receiving a data request from a call-receiving device to acknowledge an incoming call from the calling device, the data request including a pre-defined acknowledgement message type,

one of the addresses identified with the incoming call, and a mode of transmitting a pre-defined acknowledge message selected by the call-receiving device;

determining a communication mode of the incoming call, the communication mode being one of a voice communication and a data communication;

comparing the communication mode of the incoming call with the mode selected for transmitting the pre-defined acknowledge message by the call-receiving device;

if the communication mode of the incoming call does not match the mode selected for the pre-defined acknowledge message, retrieving an address from the database that is mapped to an address identified in the communication mode of the incoming call, and which also conforms to the communication mode selected by the call-receiving device;

retrieving a pre-defined acknowledgement message from a database, the pre-defined acknowledgement message corresponding to the pre-defined acknowledgement message type;

formatting the pre-defined acknowledge message to include one of: the address identified in the incoming call when the communication mode of the incoming call matches the selected mode of transmitting the pre-defined acknowledgement message selected by the call-receiving device, and the address retrieved from the database when the communication mode of the incoming call does not match the selected mode of transmitting the pre-defined acknowledgement message selected by the call-receiving device.” Neither Moore, nor Pepe, either alone or in combination, teaches, suggests, or renders obvious these features.

Moore is directed to providing personalized messages over Internet call waiting. Moore teaches that an Internet user, who is notified of an incoming telephone over IP call, may reply to the caller with a message (while sending the call to a holding location) or may take the call and terminate the IP session (Abstract). There is no teaching in Moore that a predefined acknowledgement message is sent while the incoming call is delivered to the call receiver’s voicemail. The Examiner states in the Action that Pepe teaches this feature, citing column 29, lines 56-64 in support. This portion of Pepe teaches that a subscriber may send a message to a caller from a PDA, whereby a PCI server receives the message and converts it to speech before

presenting the message to the caller. However, there is no teaching or suggestion in either of the references, when taken alone or in combination, of a mode selection made by a call-receiving device for delivering a message to the caller, wherein the incoming call address is identified to determine the mode in which the incoming call was transmitted, and using a mapping feature of different addresses for the caller to determine a manner in which the acknowledgement message will be formatted and delivered, as recited in amended claim 1. As none of the references teaches, suggests, or renders obvious the features of amended claim 1, the Applicant submits that claim 1 is patentable over the cited references and is in condition for allowance.

Independent claim 8 recites a system for providing automated call acknowledgement services. Claim 8 has been amended to recite, *inter alia*, “a computer processor device; and

an automated call acknowledgement service executing on the computer processor device, the automated call acknowledgement service in communication with a call-receiving device and a calling device, the automated call acknowledgement service implementing:

storing addresses including a phone number and a text address for a calling device in a database;

mapping the phone number for the calling device to the text address of the calling device in the database;

receiving a data request from a call-receiving device to acknowledge an incoming call from the calling device, the data request including a pre-defined acknowledgement message type, one of the addresses identified with the incoming call, and a mode of transmitting a pre-defined acknowledge message selected by the call-receiving device;

determining a communication mode of the incoming call, the communication mode being one of a voice communication and a data communication;

comparing the communication mode of the incoming call with the mode selected for transmitting the pre-defined acknowledge message by the call-receiving device;

if the communication mode of the incoming call does not match the mode selected for the

pre-defined acknowledge message, retrieving an address from the database that is mapped to an address identified in the communication mode of the incoming call, and which also conforms to the communication mode selected by the call-receiving device;

retrieving a pre-defined acknowledgement message from a database, the pre-defined acknowledgement message corresponding to the pre-defined acknowledgement message type;

formatting the pre-defined acknowledge message to include one of: the address identified in the incoming call when the communication mode of the incoming call matches the selected mode of transmitting the pre-defined acknowledgement message selected by the call-receiving device, and the address retrieved from the database when the communication mode of the incoming call does not match the selected mode of transmitting the pre-defined acknowledgement message selected by the call-receiving device.” As indicated above with respect to claim 1, none of the references teach or suggest a mode selection made by a call-receiving device for delivering a message to the caller, wherein the incoming call address is identified to determine the mode in which the incoming call was transmitted, and using a mapping feature of different addresses for the caller to determine a manner in which the acknowledgement message will be formatted and delivered, as recited in amended claim 8.

In addition, independent claim 8 has been amended to include features previously recited in claim 13, prior to this amendment. Claim 8 recites, *inter alia*, “wherein the call request includes a delay field operable for preventing premature transmission of the pre-defined acknowledgement message to the calling device to allow time for a caller of the calling device to complete a voicemail message at the voicemail system of the call-receiving device.” The Examiner states in the Final Office Action that Moore teaches placing an incoming call on hold and asserts that this is equivalent to the delay field. The Applicant respectfully disagrees. The incoming caller disclosed in Moore is placed on hold for a duration of time, until such time the called party is able to remove the caller from hold and accept the call (hold button 230). The act of placing an incoming call on hold is clearly not equivalent to, and further has no relationship with, the recited delay field recited in claim 8. The delay field prevents premature transmission of an acknowledgement message, such that the calling party has time to complete a communication

(e.g., voicemail) with respect to the called party. Thus, the recited structure (delay field versus hold button) and their corresponding functions are completely distinct. For at least this reason, the Applicant submits that this feature is patentably distinct from Moore. As none of the references teaches, suggests, or renders obvious the features of amended claim 8, the Applicant submits that claim 8 is patentable over the cited references and is in condition for allowance.

Independent claim 14 recites a storage medium for providing automated call acknowledgement services. Claim 14 has been amended to recite, *inter alia*, “storing addresses including a phone number and a text address for a calling device in a database;

mapping the phone number for the calling device to the text address of the calling device in the database;

receiving a data request from a call-receiving device to acknowledge an incoming call from the calling device, the data request including a pre-defined acknowledgement message type, one of the addresses identified with the incoming call, and a mode of transmitting a pre-defined acknowledge message selected by the call-receiving device;

determining a communication mode of the incoming call, the communication mode being one of a voice communication and a data communication;

comparing the communication mode of the incoming call with the mode selected for transmitting the pre-defined acknowledge message by the call-receiving device;

if the communication mode of the incoming call does not match the mode selected for the pre-defined acknowledge message, retrieving an address from the database that is mapped to an address identified in the communication mode of the incoming call, and which also conforms to the communication mode selected by the call-receiving device;

retrieving a pre-defined acknowledgement message from a database, the pre-defined acknowledgement message corresponding to the pre-defined acknowledgement message type;

formatting the pre-defined acknowledge message to include one of: the address identified in the incoming call when the communication mode of the incoming call matches the selected

mode of transmitting the pre-defined acknowledgement message selected by the call-receiving device, and the address retrieved from the database when the communication mode of the incoming call does not match the selected mode of transmitting the pre-defined acknowledgement message selected by the call-receiving device.”

As indicated above with respect to claim 1, none of the references teaches or suggests a mode selection made by a call-receiving device for delivering a message to the caller, wherein the incoming call address is identified to determine the mode in which the incoming call was transmitted, and using a mapping feature of different addresses for the caller to determine a manner in which the acknowledgement message will be formatted and delivered, as recited in amended claim 14. As none of the references teaches, suggests, or renders obvious the features of amended claim 14, the Applicant submits that claim 14 is patentable over the cited references and is in condition for allowance.

Claims 2, 3, 5, 7, and 21 depend from what should be an allowable base claim. Claims 9-13 and 22 depend from what should be an allowable base claim. Claims 15, 16, 18, 20, and 23 depend from what should be an allowable base claim. For at least reasons of dependency, the Applicant submits that claims 2, 3, 5, 7, 9-13, 15, 16, 18, and 20-23 are in condition for allowance. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to the Applicant. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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